IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

REVIEW PETITION NO.23 OF 2006
FROM
WRIT PETITION NO.704 OF 2006

Ramsevak Singh Manikraj Singh and Ors..Petitioners

Vs.

Rambhajan Jaiswal & Ors. ..Respondents

Mr.R.M.Pandey for the petitioners

Mr.Rameshwar Gite for the respondent no.1 and 2

Mr.Pradeep Jadhav, A.G.P. for the respondent no.3 and 4

CORAM : S.U.KAMDAR, J
DATED : 5TH MAY, 2006

P.C.:

. An order dt.22.3.06 passed in writ petition no.704 of 2006 is under review in the present petition. Original petitioners in writ petition no.704 of 2006 obtained an order dt.22.3.06 on the ground that the respondent no.3 had obtained an order before the Slum Tribunal in respect of notification published on 30.4.79. An appeal against the said notification was preferred after

the delay of 25 years on 20.10.04. It was further submitted that the Tribunal condoned delay without any application on behalf of review petitioners being made for the purpose of condonation of delay. However, in the review petition it has been brought to my attention that in fact an application was made for the condonation of delay being Misc.Petition No. 61 of 2004 before the Tribunal and by an order dt.23.12.04 the Tribunal condoned the delay on payment of cost of Rs.250. He further submits that at the time of hearing of petition, he was not aware that the said aplication was made and the order was passed and thus could not point out to the court that in fact such an application was made. I am of the opinion that the order under review is required to be set aside. In that light of the matter, order dt.22.3.06 is set aside and writ petition no.704 of 2006 is restored on file. Same to be placed by the office for admission on re-opening in the month of June.